

REMARKS

The above amendments to the above-captioned application along with the following remarks are being submitted as a full and complete response to the Office Action dated July 22, 2008. In view of the above amendments and the following remarks, the Examiner is respectfully requested to give due reconsideration to this application, to indicate the allowability of the claims, and to pass this case to issue.

Status of the Claims

As outlined above, claims 1-49 stand for consideration in this application, wherein claims 1, 2, 8 and 23 are being amended.

All amendments to the application are fully supported therein, including page 8, lines line 9 – page 9, line 20 of the specification. Applicants hereby submit that no new matter is being introduced into the application through the submission of this response.

Formality Objection

The specification was objected to as failing to provide proper antecedent basis and/or support for the claimed subject matter. Applicants respectfully traverse these rejections for the reasons set forth below.

The specification describes that a session control server has an external storage unit in which the control program executing the control operation performed by the session control server, and the control program is expanded in the memory and executed by the CPU. (See page 11, lines 20-25 of the specification.) One of ordinary skill in the art would understand that the external storage unit connected with or included in the session control server has a computer readable recording medium for recording a control program for use by the session control server. Therefore, Applicants respectfully submit that claims 29-31 have sufficient antecedent basis and support in the specification.

Accordingly, withdrawal of this objection is respectfully requested.

Prior Art Rejections

35 U.S.C. §102(b) Rejection

Each of claims 1-3, 6, and 32-37 was rejected under 35 U.S.C. §102(b) as being anticipated by Aravamudan et al. (U.S. Pat. No. 6,301,609 B1). Applicants respectfully traverse this rejection for the reasons set forth below.

According to the M.P.E.P. §2131, a claim is anticipated under 35 U.S.C. §102 (a), (b), and (e) only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.

Claim 1

In a network system as recited in claim 1, a session control server comprises means for monitoring the communication session created between at least two terminal devices by analyzing a packet communicated between at least two terminal devices, means for detecting based on a result of monitoring communication session, a change in status information on a user of said one of said at least two terminal devices or on said one of said at least two terminal devices; and means for notifying said presence server of an update request for the status information when the change in the status information is detected. By these features, the status information of the terminal devices can be updated when the change in the status is detected. Consequently, the terminal devices themselves need not monitor, detect, and update information of their own current status.

In contrast, Aravamudan shows that during the time period in which a user is maintained as online by the CSP database, an instant message (IM) server periodically polls a client premises equipment (CPE) to determine whether a network session has been terminated according to network connectivity or disabling of the device. (See Fig. 7 and col. 8, lines 5-15.) Namely, in Aravamudan, the IM server polls the CPE in order to detect whether or not the CPE is in communication operation with a network. Aravamudan does not show or suggest that the IM server monitors a communication session between plural pieces of CPE by analyzing a packet communicated with plural pieces of CPE and detects a change in status of the terminal devices based on a result of monitoring the communication session between plural pieces of CPE. Therefore, the session control server recited in claim 1 cannot read on the IM server shown in Aravamudan.

In sum, Aravamudan's does not show every element recited in claim 1. Accordingly, claim 1 is not anticipated by Aravamudan.

Claim 2

Claim 2 includes substantially the same features as those of claim 1. As such, the arguments set forth above are equally applicable here. Claim 1 being allowable, claim 2 must also be allowable.

Claims 3, 6, 32-37

As to dependent claims 3, 6, and 32-37, the arguments set forth above with respect to independent claim 1 are equally applicable here. The corresponding base claim being allowable, claims 3, 6, and 32-37 must also be allowable.

The First 35 U.S.C. §103(a) Rejection

Each of claims 4-5 were rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Aravamudan in view of Endress et al. (U.S. Pat. No. 6,895,554 B2). This rejection is respectfully traversed for the reasons set forth below.

As set forth above, Aravamudan fails to teach all the elements recited in claim 1, from which claims 4-5 depend. The secondary reference of Endress fails to provide any disclosure, teaching or suggestion that makes up for the deficiencies in Aravamudan. Therefore, at the time the invention was made, one of ordinary skill in the art could not and would not achieve all the features as recited in claim 1, from which claims 4-5 depend, by combining Endress with Aravamudan. Accordingly, claims 4-5 are not obvious in view of all the prior art cited.

The Second 35 U.S.C. §103(a) Rejection

Each of claims 7-31 and 38-49 were rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Aravamudan in view of Kammerer (U.S. Pub. No. 2004/0205175 A1). This rejection is respectfully traversed for the reasons set forth below.

Claims 7, 8, 23, 24, and 28 include substantially the same features as those of claim 1. As set forth above, Aravamudan fails to teach all the elements recited in claim 1. The secondary reference of Kammerer fails to provide any disclosure, teaching or suggestion that makes up for the deficiencies in Aravamudan. Therefore, at the time the invention was made, one of ordinary skill in the art could not and would not achieve all the features as recited in claim 1 by combining Kammerer with Aravamudan. Accordingly, claims 7, 8, 23, 24, and 28, and their dependent claims 8-22, 24-27, 29-31, and 38-49 are not obvious in view of all the prior art cited.

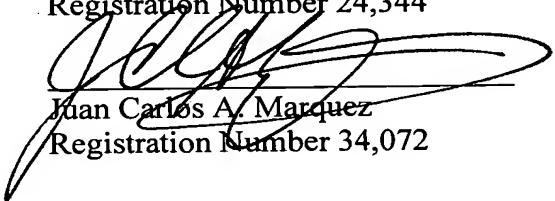
Conclusion

In light of the above Amendments and Remarks, Applicants respectfully request early and favorable action with regard to the present application, and a Notice of Allowance for all pending claims is earnestly solicited.

Favorable reconsideration of this application as amended is respectfully solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of the above-captioned application, the Examiner is invited to contact the Applicants' undersigned representative at the address and phone number indicated below.

Respectfully submitted,

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